



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gerald Cowley, John Mason, Sameh Eltomi and Darrell Dechant

Application No.: 09/997,694 Filed Date: November 30, 2001

Confirmation No.: 4739 Group: 1744 Examiner: M.R. Chorbaji

For: Methods of Using Chlorine Dioxide as a Fumigant

Date: 8/20/04 Express Mail Label No. ER963709949US

AMENDMENT FEE TRANSMITTAL

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for filing in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- ☐ A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)		(COL. 2)		(COL. 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		RATE	ADDIT. FEE
TOTAL	70	MINUS	38	32	X \$9	\$	X	\$18	\$576.00
INDEP	2	MINUS	3	0	X \$42	\$	X	\$86	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$140	\$	+	\$280	
					TOTAL =	\$ 0	TOTAL =		\$576.00

\* not fewer than 20

\*\* not fewer than 3

Please charge Deposit Account No. 50-1935 for the following fees:

<input type="checkbox"/>	Petition for [ ] month Extension of Time	\$ _____
<input type="checkbox"/>	Amendment Fee	\$ _____
<input type="checkbox"/>	Other Fees:	\$ _____
	_____	\$ _____
	_____	\$ _____
	TOTAL:	\$ <u>0</u>

A check is enclosed in payment of the following fees:

<input checked="" type="checkbox"/>	Petition for three-month Extension of Time	\$ <u>950.00</u>
<input type="checkbox"/>	Amendment Fee	\$ _____
<input checked="" type="checkbox"/>	Other Fees:	
	<u>Fee under 37 CFR 1.17(p)</u>	\$ <u>180.00</u>
	_____	\$ _____
	TOTAL:	\$ <u>1706.00</u>

[ X ] A general authorization is hereby granted to charge Deposit Account No. 50-1935 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

BOWDITCH & DEWEY, LLP

By Roger P. Zimmerman  
Roger P. Zimmerman  
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08/23/04

PATENT APPLICATION  
New Docket No.: 301928.3000-100

IFW 1744  
\$

UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.: 09/997,694 Filed Date: November 30, 2001

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For: Methods of Using Chlorine Dioxide as a Fumigant

AMENDMENT AND RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

This Amendment is filed in response to the Non-final Office Action bearing a mailing date of February 20, 2004 in the above-identified application. Reconsideration of the rejection of claims 1-38 and consideration of new claims 39-70 are requested. In view of the remarks contained hereinbelow, the Applicant believes all claims are allowable and that the 35 USC § 103(a) rejections should be withdrawn.

An extension to respond to the Office Action is respectfully requested. A Petition for Extension of time to respond to the Office Action and the appropriate fee are being filed concurrently with this Amendment and Response. Authorization is given to charge any additional fees due for this submission to Deposit Account No. 50-1935.

The listing of claims begins on page 2.

Remarks begin on page 11.